

FILED

AUG 04 2006

**NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

COLORADO STRUCTURES INC, dba
CSI CONSTRUCTION COMPANY,

Plaintiff - Appellant,

v.

NORTH AMERICAN CAPACITY
INSURANCE COMPANY,

Defendant - Appellee.

No. 03-17211

D.C. No. CV-03-02460-SI

ORDER *

Appeal from the United States District Court
for the Northern District of California
Susan Yvonne Illston, District Judge, Presiding

Argued and Submitted July 27, 2006
San Francisco, California

Before: T.G. NELSON, SILVERMAN, and RAWLINSON, Circuit Judges.

The judgment of the district court is **AFFIRMED** for the reasons set forth in
the order of the district court filed on November 18, 2003.

IT IS SO ORDERED.

* This disposition is not appropriate for publication and may not be cited
to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.